

THE PACIFIC

Commercial Advertiser

WALTER G. SMITH - EDITOR.

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Hawaii is the only territory of the Union which is not only unrepresented but misrepresented in the Republican National Committee.

Somebody writes us that the Democratic party of Hawaii is believed to be still alive and that a mouse-trap has been set for it near the headwaters of Salt River.

The London Lloyds have adopted the Marconi system on its merits and in the belief that it will do much to minimize the loss of life in sea disasters. When a vessel in trouble can sweep a message through a radius of one hundred miles and more, such message to be caught, perhaps in the receiver of another ship, the chances of rescue are vastly increased. The approach of ships in fog may be signalled in the same way.

The Board of Health should look after the germ-infested mule-cars and compel their thorough cleansing. At times these old carryalls fairly reek with filth and the iron hand rails feel greasy and clammy to the touch. To ride in the trams as they are now managed invites all kinds of diseases, particularly the foul ill of the lower races. The least that can be done to protect the public is to provide for washing and disinfecting.

Not content with the one-sided stories about Hawaii in recent Washington letters, the New York Evening Post asked its resident correspondent for the facts and got them. The Post's article in its entirety appears elsewhere in this impression. We suggest to our readers that it be marked and sent broadcast among public officials whose good will to Hawaii is always worth having. No truer analysis of the situation has been type since the local political troubles began.

The singular spectacle may be given at Washington of two Republicans, each bearing the endorsement of the Republican Territorial Committee, seeking the same office. George A. Davis was long ago given his credentials for a judgeship and then Edgar Cayless was picked out. Both want to be the third incumbent of the First Circuit Court. What the chances of either will be we cannot say as this will largely depend upon the advice given President Roosevelt by those whom he trusts.

The treasury is filling up and the chances are that the Territory can manage to keep strap and buckle together until the people elect a Republican Legislature. The Wilcox party won by default the last time, the head of the party, in running for Congress, only receiving a plurality of votes. His pitiable failure in the House and the even more pitiable failure of the Home Rule Legislature should, we believe, go a long way to convince the people that a change is not only necessary but practicable.

His Vanishing Lordship, the Bishop of Honolulu, does not intend to give the churchmen of Hawaii a good recommendation from their last place. Besides calling St. Clements a "schism" and comparing the powerful Second Congregation to a band of the fa players breaking the law, he denounces the trustees of his Kohala church for a "surreptitious" transfer of deeds. If he could only catch a priest and vestry sitting fire to a house or poisoning a well he would raise up a joyful voice and depart in peace. One begins to see, as never before, why the Archbishop of Canterbury, in assigning his Bishops, sent His Lordship of Honolulu to the most out-of-the-way place he could find on the map.

FEDERAL HEALTH SAFEGUARDS.

Undoubtedly Honolulu needs a thorough cleaning up and the extermination of its rats.

There is not money enough at the disposal of the Board of Health to do the work.

If an extra session of the Legislature were held to provide funds there is no assurance that the Board of Health would get a dollar. In fact, the congenital imbecility of the Legislature expresses itself in the view that the Board of Health wants money to waste on bogus epidemics.

What then? Can money be raised by private subscription?

It cannot.

Inasmuch as the Territories are, by a recent decision of the Supreme Court, under control of Congress, and as the outbreak here of any epidemic disease would threaten lines of ocean travel, American commerce and the interests of this naval depot, would it not be practicable to ask Congress at once to provide for the transfer of all the sanitary affairs of the Territory to the control of the health authorities of the Federal Government? If that were done unlimited means would be at the disposal of Hawaii, through Federal hands, to keep the place free of threatening diseases.

When New Orleans was in trouble the United States put Dr. Wyman in control. He also took charge of the sanitation of Jacksonville, Fla. Even Havana, a semi-foreign city, was cleansed and redeemed from yellow fever at Federal expense and under Federal control. In the same way the quarantine service has absolutely changed conditions in the city of Manila.

Why not get some of these benefits for Honolulu?

IN THE MATTER OF PROXIES.

The question of proxies at the meetings of the Republican Territorial Committee is a simple one which needs no pettifoggery lawyer to explain. Members living on other islands, unable to come to this city to vote, have sent their proxies to friends in whom they have confidence. These friends have voted the proxies in a way to cause no complaint among those who gave them, and in several cases there were instructions to follow which were scrupulously obeyed. If any proxies were misplaced and abused at the recent meeting they are the ones which friends of Mr. Dole gave to T. M. Stewart in forgetfulness of the change that had come over the spirit of his political dreams when an anti-Dole judge gave him the \$500 Maunaloa receivership at a \$3,000 fee. Happily there were few political powers of attorney issued to Stewart and as a result he was snowed under at the committee meeting. Hence his anxiety and that of the newspapers which are contemptible enough to fall in behind him to deprive the Republicans of the other islands of the right to entrust their proxies to any member of the committee to whom they may feel like giving them. This is a right which no one has had the presumption to challenge before and which ought to be inalienable. It is exercised in business in regard to the meetings of directorates controlling tens of millions of capital, and it is exercised freely in politics when there is any good reason why members of a given political committee cannot attend meetings. True, it is not uncommon on the mainland to require that proxies shall be held by residents of the represented districts only; but this is a rule applied, when at all, in the small States and Counties of the East. In the extreme West and Southwest, owing to distances between given points, there is no definite rule. We have seen, in Southern California, the whole vote of a county committee cast by the chairman and secretary. Even in New York, during bad weather in the early spring the representatives of outlying towns depend entirely upon residents at the county seats to receive and act upon their proxies. It used to be a standing joke at a certain central New York committee meeting to recognize as the gentleman from half a dozen outlying towns some well-known city member who had perhaps never visited half of them.

These things are entirely matters of convenience. Here in Hawaii it is often more convenient to vote the committee-men of outlying islands by proxy than by personal ballot; and by the same token it cannot be expected that residents of the outlying districts will come to cast such proxies. What then? Shall the distant members have no voice? Or, having a voice, are they to let it be uttered for them by a political enemy? The whole theory of proxies rests on the idea of exact representation. The giver must have the absolute choice of agents. If he is restricted in that choice his power to vote his sentiments is also limited; and he ceases to enjoy the rights of an American citizen. We do not doubt that certain members of the Territorial committee whose titles to sit in it are vitiated by the fraud of colonized primaries, would be willing to deprive anybody of anything for the sake of more power; but they will signally fail, now and hereafter, in trying to deprive the committeemen who live in other parts of the group than this of their representative privileges.

THE NEGLECT OF JUDGES.

When Judge Gear reaches Washington and presents his card at the Department of Justice will the Attorney General of the United States not ask him if the necessity for a third judge lies in the fact that the political bench wishes time for lobbying at Washington? And if not, why not?

In the course of the Americanization of the courts, heralded by the loud trumpet and carried on under the glare of self-raised calciums, the distinguishing feature up to the present time has been the absence of one of the judges from the bench, practically all the time. True there were three happy and hard working months for the legal fraternity, for the bench was filled when the courts started out under the American plan. But it developed that one jurist had taken the seat for the purpose of trading upon the title, if his subsequent action in leaving the court at his own will and pleasure, may be taken as evidence, and so it was that for many months there was only one judge, and as the other judges of the Territory were busily engaged in getting their work shaped up they could not lend themselves to the accumulating work of this district.

After some seven months of one judge, the second judge was commissioned and took his seat upon the bench. Misfortune called him to the mainland very soon and his return was the signal for a four months' absence on the part of the first judge. During those four months the work was done with a degree of rapidity which had not marked the previous administration, but almost as soon as the bench is again filled there is a new necessity for vacation and again the legal fraternity finds that its work must be stopped practically. While one judge worries along with the criminal calendar, four months of lobbying on the part of one judge—he called it "recreation"—to be followed, unless wiser counsels prevail, by a period of similar work on the part of the other, might well prompt the query from the Attorney General "Why?" and perhaps the suggestion that unless there is some disposition shown to keep the calendar clear, there can be expected no help in the shape of another judge.

It is indeed noteworthy that in the one and one-half years since the taking over by the United States of the courts system, there has been more than a year when there was only one judge upon the local bench regularly. If this is Americanization, then there are hundreds of judges in various parts of the country, who have been misled as to the character of their courts. There are hard working judges all over the United States today who fondly believe they are working upon the American plan, who pass year in and year out without a visit to Washington and who if they should go there, would feel it beneath their dignity to lobby. And it is perhaps safe to wager too that they do not have to fine one lawyer a term to protect the dignity they thus estimate.

With two jurists upon the bench, who have so many axes to grind that they must get close to the whirling national emery wheel, it would be economy to have a permanent working judge. Such

an official, one who would have days set apart for the regular and orderly conduct of business; when there could be a day for ex-parte matters, other days for probate hearings and a settled time for the convening of the courts, would find that he was speedily clearing the calendar for the attorneys would see in him their salvation, and would work to assist him in the conduct of his court. Attorneys would feel that it was not a matter of perhaps when they went into court with a witness or bondsmen, that they would be certain to have their hearing upon the time set. There would be no indiscriminate calling of cases.

In the old days when there was not Americanism, only democracy, the judges were not compelled to go to Washington every change of season to get the ear of some political friend, and the work went on with speed and regularity. Almost daily the Bar is told that it was in darkness until the calendar of the present Bench was turned on, so that the reflected rays might be of service, yet it is not too much to say that business was done more thoroughly and rapidly than now, that there was more satisfaction to the clients, that there was not the necessity now existent to settle cases out of court rather than to risk the tie-up of years, and that the Bar knew when to look for papers and how to get the hearings that were needed. And so it comes that now there is needed a working judge. The work is to be done, and it is to be hoped that when he is doing it he will not turn to his fellows on the bench and ask them in the language of Flanigan of Texas "What are we here for?" for the answer will not please him.

Nothing could be more impertinent than to say that the friends of Mr. Dole are not in a Republican majority here. That they did not sweep the primaries is due to the fact that the Home Rule party, few of whom could talk English and all of whom were both anti-Republican and anti-American, came to the rescue of the minority and colonized the polls. In one precinct three times as many votes were cast for the minority delegates than were deposited afterwards for the Republican nominee for Congress. To provide for the repetition of this fraud the convention controlled by the anti-Dole minority voted down a resolution declaring that no one but Republicans may vote at a Republican primary. It was significant of the weakness of the fraudulently ascendant faction that they had to come to the majority to get money enough to run the campaign and were even ready to sacrifice the fatted calf in the person of one of the editors of the Bulletin, for the sake of a fund. We believe that the burnt offering smells yet.

Lord Li, the adopted son of the late Li Hung Chang, promises to make a figure of some distinction in China. He is middle-aged, keen of mind, not ultra-conservative by nature and he has a Western education. His knowledge of English is complete. Such a man, assuming that he is ambitious, controlling as he does the bulk of Earl Li's great fortune and the allegiance of a private army, ought to make his influence powerful at the court and in the country at large.

Evidently the calf would like to be a coon.

An Owl Killed by a Parrot.

RED BUD, Ill., Nov. 23.—One of the monkey-faced owls which attracted so much attention throughout southern Illinois is dead. Some mischievous person placed a parrot in the owl's cage yesterday. The parrot was immediately attacked by both owls, which resented the intrusion of the stranger. The parrot selected the smaller of the birds for its victim, and in a few minutes it was torn almost to pieces. The parrot then turned its attention to the larger owl, which was trying to get at its eyes, but before it could do any damage was taken from the cage. Except the loss of a few feathers, the parrot is unhurt.—Chicago Inter-Ocean.

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